

FORM PTO-1390  
(Rev. 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER JAB-1712-USNP

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/517788

INTERNATIONAL APPLICATION NO.  
PCT/EP03/50276INTERNATIONAL FILING DATE  
30 June 2003PRIORITY DATE CLAIMED  
02 July 2002

TITLE OF INVENTION

BAFILOMYCIN-LIKE METABOLITE FROM A NOVEL MICROMONOSPORA SPECIES

APPLICANT(S) FOR DO/EO/US :

van Dun et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ Five (5) Powers of Attorney or Authorization of Agent of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ Four (4) assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information: Express Mail Certification, International Search Report, International Preliminary Examination Report and Claim for Priority.

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INTERNATIONAL APPLICATION NO.

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17. ☐ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$1110.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO.....\$950.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but international search fee (37 CFR 1.455(a)(2)) paid to USPTO..... \$790.00

International preliminary examination fee (37 CFR 1.482) paid to  
USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$750.00

International preliminary examination fee (37 CFR 1.482) paid to  
USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 950.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

**\$**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	12 - 20 =	0	x \$18.00 \$-0-
Independent claims	4 - 3 =	1	x \$88.00 \$88.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00 \$-0-

**TOTAL OF ABOVE CALCULATIONS =**

**\$1,038.00**

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

SUBTOTAL =

**\$1,038.00**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

**\$1,038.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$160.00

TOTAL FEES ENCLOSED =

\$1,198.00

Amount to be refunded:

\$

**charged:**

	\$1,198.00
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a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 10-0750/JAB-1712-USNP/LAD in the amount of \$1,198.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0750/JAB-1712-USNP/LAD. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**Philip S. Johnson, Esq.**  
**Johnson & Johnson**  
**One Johnson & Johnson Plaza**  
**New Brunswick, NJ 08933-7003**  
**USA**

John C. Donnelly

**Signature**

Laura A. Donnelly  
Reg. No. 38,435  
Attorney for Applicants  
Dated: December 10, 2004

JAB-1712-USNP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: van Dun et al.

For: A NOVEL BAFILOMYCIN-LIKE METABOLITE FROM A NOVEL  
MICROMONOSPORA SPECIES

Express Mail Certificate

"Express Mail" mailing number: EV 547300942 US

Date of Deposit: December 10, 2004

I hereby certify that this entry into the National Phase pursuant to 35 USC 371 contains complete application:

Express Mail Certificate	(1 page)
Return Receipt Postcard	(1 page)
PCT FORM 1390 Transmittal	(3 pages & 2 copies of same)
Copy of International Application as filed	(20 pages)
Formal Drawings	(4 sheets)
Executed Powers of Attorney	(5 sheets)
Executed Assignments with	
Cover Sheets	(8 sheets)
Claim for Priority	(6 pages)
Preliminary Amendment	(4 pages)
Information Disclosure Statement and	
Form 1449 and MPEP 609D	(6 pages)
Copy of International Preliminary	
Examination Report	(1 page)
Copy of WO 2004/005311 A1 (29 pages including drawings and ISR)	

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee; service under 37 CFR 1.10 on the date indicated above is addressed to the Mail Stop: Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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Laurie A. Phillips

(Typed or printed name of person mailing paper or fee)

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//Laurie A. Phillips//

(Signature of person mailing paper or fee)